

1907-020 Chancery Causes: N. L. Callihan vs. Sarah C. Callihan
Lee Co.

Thomas, Caywood, Cawood

CA-Divorce

To the Honorable H.A.W. Skeen, Judge of the Circuit Court of Lee County, Virginia:

Humbly complaining your complainant N.L. Calliham, would represent and show unto your honor, that he is now a citizen of the County of Lee and State of Virginia, and has been for more than one year before the institution of this suit; that he on the ____ day of ___, 18__ was married to one Sarah C. Calliham; that they lived together as Husband and wife, for more than fifteen years; that during all that time he was to her, a good Husband, but that she on the contrary, was not such a wife as she ought to have been.

Your complainant alleges that his said wife willfully deserted and abandoned him without cause, and without his consent, although her conduct toward him was almost unbearable; that said desertion and separation has continued for more than three years before the institution of this suit; that said defendant Sarah C. Calliham lives in the State of Kansas at this time; that your complainant and said defendant has not lived together nor co-habited together, in the last three years.

The prayer of your complainant is, that the said Sarah C. Calliham be made a party defendant to this bill and answer the same but not on oath that being waived; that an order of publication be posted and published, against the defendant, who is a non-resident; that on a hearing that your complainant be divorced totally and absolutely a vinculo matrimonii, from the said defendant; and your complainant prays for all other relief generally that the nature of his case may require, or to equity seem meet, and he will ever pray &c.

M. G. Ealy, p.q.

184
N. L. Calliham
vs. ~~Bill in Chancery~~
Sarah C. Calliham

Jan 2 1907 O. P. issued
1st Feby Rule 1907
O. P. completed
1907 2nd Feby Rule
Cause set for
hearing.

Costs:
Atty \$15.00
Clerk 5.05-
Day 1.50
Comm.
Printer 3.00
Shuff. .60

1900 to 1910

G. L. Callahan, Plaintiff -
against ~~the~~ In Chancery -
Sarah L. Callahan Defendant,

This cause came on this day to be heard
upon the bill of Complaint and depositions
of Plaintiff filed therewith, order of publication
duly posted and published against the
non-resident, defendant. And was argued
by counsel, for the Plaintiff.

On consideration of which, the court being
of opinion that the allegations of Plaintiff's
bill has been proven, it is adjudged, ordered
and decreed that the marriage heretofore contracted
and now existing between Plaintiff and
defendant be dissolved, and that the
Plaintiff be forever divorced from his said
wife the defendant, a vinculo matrimonii,
and that the Plaintiff pay the costs of this suit and
the cause is stricken from the docket,

N. L. Callahan
vs. Deane -
Sarah L. Callahan

Entered in CO. 18.
#8, page 267

Enter this,

H. A. W. S. L. L.

Feb. 25-1907.

The depositions of M.W.Thomas and others taken before me, Geo. P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, at the law office of M.G.Ely, in the town of Jonesville, Virginia, on the 22nd day of February, 1907, which depositions are intended to be read as evidence in behalf of the plaintiff in a certain suit in Chancery now pending in the Circuit Court of Lee County, Virginia, in which N.L.Callahan is plaintiff and Sarah C. Callahan is defendant.

Present M.G. Ely attorney for the plaintiff.

M. W. Thomas, a witness of lawful age being first duly sworn deposes as follows:

Q.1.-- State your age, residence, occupation and whether or not you are acquainted with the plaintiff and defendant?

A.-- I am 54 years old, reside at Hagan, farmer, and am acquainted with the parties of this suit.

Q.2.-- How long have you known the parties to this suit and how near did you live to them when they resided together as husband and wife in this County?

A.2.-- I have known the plaintiff all my life, were boys together, and have known the defendant about 25 or 30 years. They lived within a mile of me for about 15 years.

Q.3.-- State if you know how well they got along together, and who was to blame and whether or not the plaintiff cared for and provided well for his wife while they lived together?

A.-- She was very disagreeable to live with, and he had a great deal to put up with, and there was nobody that cared better for his wife and family than the plaintiff did.

Q.4.-- State if you know where the defendant now lives and how long since she left this state?

A.-- She lives in the state of Kansas. It will be four years in April since she left here.

Q.5.-- State whether or not you ever heard the defendant threaten to leave the plaintiff before she went to Kansas?

A.-- I have heard her say that she was going to leave him before she went to Kansas.

She has not lived with him since she went west.

Q.6.-- State whether or not the plaintiff is now and has been for twelve months before the institution of this suit, a resident of Lee County, Virginia?

A.-- He has been a resident of this County for more than one year, and the plaintiff and defendant last cohabited together in this County.

And further this deponent saith not.

Wit. claim 1 day 50
mileage .24
54

M. W. X Thomas
his mark

J.C.Caywood, another witness of lawful age being first duly sworn deposes as follows:

Q.1.-- State your age, residence, occupation, and whether or not you are acquainted with the plaintiff and defendant and if so how long you have known them?

A.-- I am 22 years old, reside near Hagan, am merchant. I do know plaintiff and defendant and have known them all my life. They have lived within a mile and one half of ~~xxxx~~ me all my life.

Q.2.-- State if you know where the defendant now lives and how long since she left here?

A.-- She now lives, as I am informed, in Kansas, and has been there nearly four years. The plaintiff still continues to live in this County.

And further the deponent saith not.

Wit. claim 1 day .50
mileage .24
74

J.C. Caywood

Virginia, Lee County, to-wit:

I, Geo.P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do certify that the foregoing depositions of M.W.Thomas and J.C.Caywood, were taken before me at the time, place and for the purpose in the caption mentioned.

Given under my hand this the 22nd day of February, 1907.

Geo.P.Cridlin Comm. in Ch.

M. L. Callahan
vs. { In Cley

Sarah C. Callahan

Disposition

M. W. Thomas 74 Pl.

J. C. Caewood 74 Pl.

\$1.48

Filed Feb. 22, 1907

H. C. J. Ewing,
Clerk

Cover. for 75 cts pd.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 2nd
day of January, 1907,

N. L. Callahan,

against

Plaintiff

In Chancery

Sarah C. Callahan,

Defendant

The object of this suit is to obtain a divorce a vinculo matri-
monii.

And an affidavit having been made and filed that the defendant, Sarah C. Callahan is
a
not resident of the State of Virginia, it is ordered that she do appear here within fifteen days
after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is
further ordered that a copy hereof be published once a week for four weeks in the Pennington
News and that a copy be posted at the front door of the Courthouse of this county as prescribed
by law.

A copy—Teste:

M. G. G. G.

P. Q.

N. C. J. Ewing,

Clerk.

By M. E. H. H. H., D. C.

R. L. Callahan

vs.

}

ORDER OF
PUBLICATION

Sarah C. Callahan,

Virginia, Lee County, to-wit:

I, N. C. P. Ewing, County
Clerk, do certify that I
posted a true copy of
the within order of pub-
lication at the front
door of the Court-house
of said County, on
this day.

Given under my hand,
this January 2nd, 1907.

N. C. P. Ewing,
Clerk,

In the Clerk's Office of the Circuit Court of the County of Lee
& State of Va.

N. L. Callahan

Plaintiff

against

Sarah C. Callahan

Defendant

This day M. G. Ely personally appeared
before me H. C. P. Ewing Clerk of the said Court,

and being duly sworn, made oath that

Sarah C. Callahan

defendant in the said suit is not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 2nd day of January, 1907.

H. C. P. Ewing, Clerk

Chancery

M. L. Callahan

VS

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION

Sarah Callahan

M. G. Eby

p. q.

Filed Jan. 2, 1907

H. C. P. Ewing

clerk.

6/11/1907

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU THAT YOU SUMMON

*J. C. Carwood, Lula Young, &
Milton Thomas*

Geo P. Cardin Comr. in *M. H. Ely's* office a *four miles*
to appear before the Judge of our Circuit Court of the County of Lee, at the court-house thereof, on the *22nd*

day of *February* 190*7*, to testify and the truth to say in behalf of the

Plaintiff, in a certain matter of controversy in our said court before the
said Judge depending and undetermined between

N. L. Callahan Plaintiff, and

Sarah C. Callahan Defendants . And this *he*

shall in no wise omit, under the penalty of £100. And have then there this writ.

Witness, H. C. T. EWING, Clerk of our said court, at the court-house the *18th* day of

February 190*7*, and in the *12/31* year of the Commonwealth.

H. C. T. Ewing, Clerk.

N. L. Colkhams

VS.

}
SUBPOENA
FOR
WITNESS

Sarah C. Colkhams

W. H. Ely's Office
~~*At Court*~~ Court,

the *22nd* day of *Feb.*

190*7*

Exhibited by me
J. C. Cunningham
At Court
March 20 1907
C. C. Wright
At Court

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon Sarah C. Callahan

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the 1st Monday in Feby, 1907, to answer a bill in chancery exhibited against her
by N. L. Callahan

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 2nd
day of January, 1907 and 131 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

_____, Clerk.

N. L. Callihane

VS

}

SUBPOENA
IN
CHANCERY.

Sarah C. Callihane.

W. H. Ely, p. q

To 1st Feb'y Rules.

Circuit Court.

1907.

ORDER OF PUBLICATION

In the Clerk's Office of the Circuit Court of the county of Lee, on the 2nd. day of January, 1907.

N. L. Calliham, Plain. } In
 against Chancery
Sarah C. Calliham, Def {

The object of this suit is to obtain a divorce a vinculo matrimonii.

And an affidavit having been made and filed that the defendant, Sarah C. Calliham is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Pennington News and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Teste:

M. G. Ely, p. q. H. C. T.
Ewing, Clerk. By M. E. Flanary,
D. C.

This is to certify that the foregoing Order of Publication of N.L. Calliham ^{Sarah C.} vs. Calliham was published once a week for four successive weeks in the Pennington News, beginning on the 4th day of January, and ending on the 25th. day of January, 1907.

Given under my hand, this the 26th. day of January, 1907.

W. H. McIn
Editor, The News.

N. L. Calhoun
vs. J. M. Boy
Sarah C. Calhoun

This is to certify that the foregoing Order of Publication
of N. L. Calhoun vs. J. M. Boy was published once a week for
four successive weeks in the Pennington News, beginning on
the 4th day of January, and ending on the 28th day of
January, 1907.
Given under my hand, this the 28th day of January,
1907.
Editor, The News.